

**NNSA RESPONSES TO QUESTIONS FROM PROSPECTIVE OFFERORS IN RESPONSE TO
NNSA AVIATION PROGRAM SUPPORT RFP DE-RP52-06NA25694 ISSUED ON 3-15-06**

1. Section J, Attachment 1, item (12) Is the FOS [Flight Operations Software] system web based so that information and access to the system can be provided from off site?

RESPONSE: FOS is not web based, but will soon enter a beta test period to validate security and hosting concerns. FOS should be fully operational on the web by June 1, 2006.

2. Can DOE provide LOPA's [List of Passenger Accommodations] for all aircraft?

RESPONSE: All LOPAs are available in the reading room except for the DC-9-33F which will be available in mid-May.

3. What type of engines are installed on the aircraft?

RESPONSE:
Twin Otters – PT6A-27
Lear 35A – TFE-731
DC9-15F – JT8D-7B
DC9-33F – JT8D-15
GIII – SPAY 511-8

4. Can DOE provide avionics specifications for each aircraft?

RESPONSE: All equipment listings are available in the reading room except for the DC-9-33F which will not be available until after the proposal due date. Please contact the Contract Specialist for access to the specifications for all aircraft other than the DC-9-33F.

5. Are the aircraft configured for extended overwater operations?

RESPONSE: The G-III and the DC-9s are configured for extended over the water operations.

6. Are all aircraft except Twin Otter RVSM [Reduced Vertical Separation Minimum] certified?

RESPONSE: Yes.

7. Please provide current staffing level of pilots support each aircraft and provide salaries level?

RESPONSE: The information is considered proprietary to the incumbent contractor. Staffing levels are part of the incumbent's technical approach to fulfilling the requirements under the current contract.

8. Section J Attachment 4 does not list aircraft N45NA as Government furnished equipment?

RESPONSE: N45NA has been added to the GFE.

9. Is aircraft fueling provided by Contractor or other service provider?

RESPONSE: The Statement of Work specifies that the contractor will provide personnel to refuel aircraft, and provide ground support, etc. at Kirtland AFB.

10. Can contractor through teaming arrangement provide DOE FAR 135 operations for the L35 and GIII?

RESPONSE: No, the SOW specifies the LR-35 and the G-III must be listed on the prime contractor's OPSPECS.

11. Will DOE provide rental engines and rental landing gears in support of scheduled engine changes?"

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RESPONSE: Yes, the Government plans to amend the RFP in Section B Item 0007 and the SOW to indicate that, on a case-by-case basis as determined by the CO, it will reimburse the contractor for the cost for rental engines and landing gears in support of scheduled overhauls.

12. Question 7 on the NNSA responses to industry comments/ questions [on the 12-23-06 Revised Draft RFP] indicates that the supplemental air carrier must hold passenger authority. Is the passenger authority required to submit a bid or may the certificate holder include passenger operations in the course of putting the aircraft on its operating certificate?

RESPONSE: Passenger authority is not required to submit an Offer. Within 120 days (or a reasonable time agreed to by the Contracting Officer in consultation with NNSA/OST, the Contractor, and the FAA) after the contract is awarded – the contractor is required to have in its Part 121 operations specifications, all authorizations required to perform the flight operations as specified in Section J, Attachment 1, SOW Paragraph 4(a)(1).

13. For the purposes of obtaining an accurate estimate of the costs relating to compliance with the Service Contract Act (SCA), Section 4(c) requirements for fringe benefits, will the government provide the detailed benefits plan description for employees subject to the DOL recognized bargaining agreement, such as that provided to CBA employees by Ross Aviation? The contractor's contribution towards Health and Welfare fringe benefits represents a major cost to be embodied within the fixed price CLINs of this contract, and consequently a major financial risk for a small business concern to undertake without adequate information regarding SCA Section 4(c) requirements as they apply to this contract.

RESPONSE: No, detailed benefit plan descriptions for employees subject to the CBAs* are considered proprietary information of the current contractor. Amendment 002 to the RFP will provide a reimbursable line item, Item 0008, and a special provision for guidance on proposing fringe benefits related to fully burdened insurance premiums and 401(k) company contributions for employees covered under the two CBAs and/or covered by the Service Contract Act. Item 0008 will be established for fully burdened fringe benefits related exclusively to medical, dental, life and disability insurance premiums and 401(k) company contributions required under the SCA for the first 12 months of contract performance. No profit will be allowed under Item 0008. The firm fixed price proposed for the basic period of performance (Item 0001) shall exclude those costs intended to be reimbursed under Item 0008. Item 0008 will not be evaluated for purposes of award. There are no reimbursable fringe benefits for Option Periods 1, 2, 3 and 4. All costs related to fringe benefits under the four option periods should be included in the appropriate firm fixed price line items.

* Mechanics and Related Craft Union Agreement dated July 19, 2005 and the Office and Professional Employees International Union (OPEIU) dated April 7, 2006.

14. Given the small business set aside nature of this solicitation, would the government consider full indemnification of the small business Prime and its subcontractors for nuclear hazards liability versus the \$100M limit? A small business might have difficulty obtaining additional insurance beyond the \$100M limit, and even if the insurance can be obtained, it might be very expensive. Would the government consider full indemnification?

RESPONSE: The RFP issued on 3-15-06 includes the JUNE 1996 version of DEAR 970.250-70 Nuclear Hazards Indemnity Agreement; however, the RFP should have included the OCT 2005 version, which provides \$500M of coverage. The RFP will be amended to make this change.

15. 1. Clause H-016 identifies the relevant AWD and the current CBA for mechanics and related crafts included in the RFP. 2. FAR 52.222-47 identifies a union for "The Air Line Pilots Association" 3. FAR 52.222-42 makes reference to an AWD employee class 31010 for airplane pilots that is not in the RFP AWD. Question(s): Are the pilots part of the Air Line Pilots Association union whereby their wages are subject to a Collective Bargaining Agreement? If so, would the government provide the current CBA for pilots? If not, would the government clarify or remove the union reference? Are the wages of the pilots subject to the Area Wage Determination in Section J of the RFP? There is no occupation code or title

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listed for airplane pilots in the RFP AWD, so would the government identify the AWD/minimum wage requirements for the pilot positions? The employee class reference in FAR 52.222-47 is 31010, but the AWD in the RFP does not include this occupation code. Would the government clarify the reference?

RESPONSE: On April 11, 2006, NNSA received a copy of a collective bargaining agreement (CBA) between Ross Aviation, Inc. and the Office of Professional Employees International Union (OPEIU) covering to Ross Aviation pilots. NNSA will amend the RFP to include the Pilots CBA, and to change the ALPA reference to OPEIU. The employee classes listed in FAR 52.222-42 is for information purposes only.

16. Reference: Section J, Para 4(g)(3). The subject paragraph references contractor pre-employment fingerprint based criminal history records check and NNSA security clearances. The last sustenance of this paragraph states "The Government bears the cost for background investigations". Is it the Governments intent to reimburse the Contractor for fingerprint based criminal history records check and NNSA security clearances?

RESPONSE: The contractor is responsible for the cost of pre-employment background checks. The Government bears all costs incurred for personnel background investigations associated with obtaining U.S. Government security clearances.

17. Section "L" of the Final RFP identifies "Scheduled Maintenance Tasks" for the DC9, DHC-6, LR-35A, and the GIII. Should bidders consider this to be a complete list of all of the Scheduled Maintenance Items subject to the RFP quote, and any items not listed in Section "L" are therefore considered as "Non-Scheduled" Maintenance?

RESPONSE: Offerors should consider the list of Scheduled Maintenance Tasks in Section L of the RFP to be all inclusive, therefore any tasks not listed should be considered as Unscheduled Maintenance.

18. The DC9-33F is currently undergoing Heavy Maintenance Inspections, Repairs and Modifications. The current status of Airworthiness Directives will not be available until after the Proposal Submission deadline. Will the repetitive interval, and/or the required termination limit be considered as Non-Routine Maintenance if they are revised as a result of the current maintenance in-progress?

RESPONSE: The Government will comply with all Airworthiness Directives to obtain the aircraft Certificate of Airworthiness on N45NA. All repetitive inspections are scheduled maintenance.

19. Will the Government and/or Incumbent Contractor provide a "CERTIFIED" computer report that reflects the Status of all Airworthiness Directives, Service Bulletins, Life Limited and Hard Time Components for each aircraft?

RESPONSE: The status of all Airworthiness Directives, Service Bulletins, Life-Limited and hard-time Components for each aircraft are available in the reading room for review. Please contact the Contract Specialist for access.

20. If a solicitor utilizes a computerized aircraft maintenance and inventory control program for operations under their approved Operations Specifications, will the DOE allow this program to be loaded on the Government provided Computer System?

RESPONSE: Yes, but only to computers not connected to the NNSA LAN.

21. The DOE uses JP8 fuel. Is it acceptable to utilize Jet-A fuel in lieu of JP8 Fuel and locations other than the KAFB location?

RESPONSE: Yes, however the contractor must ensure PRIST is added to all Jet-A fuel loads.

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22. What employees, other than Aircraft Maintenance Technicians, Quality Control Inspectors and Ground Equipment Mechanic/Aircraft Fueller are covered under the Collective Bargaining Agreement listed in the Section J, Attachment 6, of the RFP?

RESPONSE: Only employee classes listed in a CBA are covered under the CBA.

23. What is the incumbent's current total number of Flight Crew Members (i.e. Captains, First Officers, Flight Attendants, etc.)?

RESPONSE: The information is considered proprietary to the incumbent contractor. Staffing levels are part of the incumbent's technical approach to fulfilling the requirements under the current contract.

24. What numbers of flight crewmembers (i.e. Captains, First Officers, Flight Attendants, etc.) are qualified on more than one type aircraft?

RESPONSE: The information is considered proprietary to the incumbent contractor. Staffing levels are part of the incumbent's technical approach to fulfilling the requirements under the current contract.

25. How can we obtain a history of hours flown, by type aircraft, for the past two years?

RESPONSE:	<u>FY-04</u>	<u>FY-05</u>
Lear-35A	264	383
DHC-6	354	481
DC-9	1238	1510
G-III	228	267

26. Is Government-provided computer support the responsibility of the contractor or the DOE.

RESPONSE: The Government will maintain the computers provided, but not any unique software loaded by the contractor.

27. Are the costs for the following international procedures reimbursable? Ground Handling, Landing and over-flight Permits, Training (initial and recurring), Crew positioning/travel costs, Over night expenses.

RESPONSE: The SOW does not require international flight operations.

28. Who is responsible for coordinating and handling passenger service (i.e. Hotels, catering, ground transportation) and are the associated incurred costs reimbursable?

RESPONSE: Passengers are required to coordinate their own services.

29. What are the Contractor's security requirements for Flight-Following of Public-Use flights?

RESPONSE: The SOW requires the same flight-following procedures for both civil and public-use flights.

30. Is Med-link utilized on all of the DOE aircraft?

RESPONSE: No, the contractor must only contract these services on civil DC-9 flights.

31. Can the aircraft Total Time and Total Landings as of 1 March 2006 be provided to ensure a more accurate proposal submittal?

RESPONSE:			
<u>Aircraft</u>	<u>Registration</u>	<u>Total Time</u>	<u>Cycles</u>
Lear-35	N135DE	4631.4	3520
DHC-6	N148DE	28049.2	52048

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DHC-6	N162DE	22573.1	33330
DC-9	N166DE	46978.7	60220
DC-9	N229DE	47426.8	56660
G-III	N344GW	8807.4	5139
DC-9-33F	N45NA	61704.0	39296

32. Will the Contractor be permitted to establish Virtual Private Network (VPN) for use of the Contractor's existing Computer Based Programs, to allow the Contractor's system to communicate between KAFB and the Contractor's Main Base of Operations?

RESPONSE: Yes; however the VPN cannot be associated with the NNSA B-LAN for security reasons.

33. What percentage of flights and what type aircraft require Flight Attendants and or Load Masters.

RESPONSE: Historically, 10% of our DC-9 flights are conducted under Part 121 and require flight attendants. 90% of our DC-9 flights are conducted as public (cargo/combi) and require loadmasters with flight attendant qualification. Less than 5% of the flights flown on one of the two DCH-6 aircraft require a person with both loadmaster and flight attendant skills.

34. The deadline for response to the RFP is 14 April 2006. What is the expected contract award date?

RESPONSE: The revised proposal due date specified in Amendment 001 (issued 4-07-06) is May 12, 2006; the anticipated contract award date is July 01, 2006.

35. Reference Section L004, Paragraph C2. The RFP anticipated Contract Start Date 1 June 2006. If a significant change in this start date is anticipated, will the DOE allow the bidders to adjust their pricing calculations?

RESPONSE: NNSA plans to amend the RFP (Section L004) to change the anticipated start date to July 1, 2006.

36. The current Contractor uses a part numbering system that does not reflect the Original Equipment Manufacturer's (OEM) part numbers (i.e. Fan, Radio Rack Cooling - contractor's part number is 21-20-151, and the outflow valve - contractor's part number is 21-30-143). Is there a Part Number conversion chart available that will convert the incumbent contractor's part numbers to the OEM part number? Without such a conversion chart it is not possible to accurately determine the overhaul cost for most of the required items."

RESPONSE: Yes, there is a conversion chart available in the reading room for review. Please contact the Contract Specialist for access.

37. Are Contractor's key personnel required to be located at Kirtland Air Force Base, in Albuquerque, New Mexico?

RESPONSE: No - with exception of the General Manager.

38. Must all seven of the key personnel be located at KAFB and dedicated to this contract? If not, which ones are not required to be located at KAFB? Which ones are not required to be dedicated to this contract?

RESPONSE: No. The General Manager must be on site with sufficient personnel to meet contract requirements.

39. Can a Part 121 cargo operator submit a bid and add on passenger certification at time of award of contract?

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RESPONSE: Passenger authority is not required to submit an Offer. Within 120 days (or a reasonable time agreed to by the Contracting Officer in consultation with NNSA/OST, the Contractor, and the FAA) after the contract is awarded – the contractor is required to have in its Part 121 operations specifications, all authorizations required to perform the flight operations as specified in Section J, Attachment 1, SOW Paragraph 4(a)(1).

40. Is there a requirement to keep all records on-site? Aircraft Records, Pilot Records, Planning, etc.

RESPONSE: No - as long as Part 121 requirements are met.

41. Is there a requirement to have dispatcher on-site? Is flight-following acceptable for FAR 135 aircraft operations?

RESPONSE: No - as long as Part 121 requirements are met on all flights. The contractor shall dispatch, and flight-follow all flights in accordance with their Part 121 OPSPECS.

42. What is current staffing in support of current operations? Please state number in each department; all departments (i.e.) dispatch, maintenance personnel, QA Department, number of pilots to support each aircraft operation; HR department; Pilot department; maintenance department, QA department, safety & secure department, fueling departments.

RESPONSE: The information is considered proprietary to the incumbent contractor. Staffing levels are part of the incumbent's technical approach to fulfilling the requirements under the current contract.

43. Who supplies NAV data, Jeppesen charts?

RESPONSE: The Contractor.

44. SOW 4(a)(6) How often does NNSA intend to fly five or more aircraft during one 24-hour period?

RESPONSE: There is no Government intent to fly five or more aircraft during any given 24-hour period. Mission requirements determine aircraft schedules, and the Government has provided typical schedules for review in the reading room. Please contact the Contract Specialist for access.

45. Does the government expect full operations starting on the start date of the contract? (June 1, 2006) Does the government intend to have a transition period for the contract?

RESPONSE: No. SOW 4(a)(1) establishes the transition requirements. In response to several requests from prospective proposers, the Government has extended the proposal due date to May 12, 2006, and the anticipated contract award date to July 01, 2006.

46. H007 "Do the persons assigned to the Director of Operations, Chief Pilot, Director of Maintenance, Chief Inspector, and Director of Safety require FAA approval before beginning contract operations?"

RESPONSE: Yes - Offerors must have FAA-approved personnel in these positions to be a responsive offeror. SOW 4(a)(1) establishes the transition requirements.

47. L003(b)(3) "Evaluations Factor 3-Corporate Experience and M002(a)(3) Evaluations Factor 3 both state that the "Offeror" must have three years of experience conducting Part 121 Certificate Operations. L003(b)(3), however, also discusses subcontractor/teaming partner experience and Section L, Att. 6 Checklist Evaluation Factor 3-Corporate Experience also says "Offeror, including team members, has 3 years of relevant experience..." Please clarify that "the legal entity that will be the prime contractor" must have three years experience conducting Part 121 Certificate Operations."

RESPONSE: NNSA will amend the RFP to delete references to subcontractor/teaming partner experience.

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48. Since the mechanics and pilots have been laid off and planes put in storage, how long will the contractor have to come up to full operations?

RESPONSE: The Government established transition requirements in SOW 4(a)(1) are appropriate for all Offerors.

49. RFP Section L, Attachment 5 Scheduled Maintenance Requirements lists some items that would cost the government less if outsourced. For example, AD79-19-02 requires X-Ray inspection of elevator spars. If the contractor is to do this on-site, NNSA will incur the cost of purchasing the X-Ray equipment and making any modifications to the hangar to properly house the X-Ray equipment. This particular maintenance requirement could be accomplished at a much lower cost and with less aircraft downtime by performing this inspection at a facility equipped and certified for this for this work during a "C" inspection. How should bidders prepare their price proposal if items listed in Attachment 5 could be done cheaper and faster if outsourced or accomplished in conjunction with major maintenance actions such as C-Checks?

RESPONSE: NNSA will amend the RFP to revise Attachment 1, SOW Para 4(b)(4) to read substantially as follows - "The table below specifies maintenance that the Government recommends to be performed by the contractor on site at the OST Aviation facility on KAFB, Albuquerque, NM for aircraft availability and oversight purposes. However, the contractor may perform or subcontract scheduled maintenance offsite."

50. The second set of questions and answers, answer Number 7 stated that the Part 121 Certificate could not be cargo-only. Can Evaluation Factor 3 for three years Part 121 Operations be satisfied by cargo-only operations?

RESPONSE: Passenger authority is not required to submit an Offer. Evaluation Factor 3 for three years Part 121 operation can be satisfied by Cargo-only operations. Within 120 days (or a reasonable time agreed to by the Contracting Officer in consultation with NNSA/OST, the Contractor, and the FAA) after the contract is awarded – the contractor is required to have in its Part 121 operations specifications, all authorizations required to perform the flight operations as specified in Section J, Attachment 1, SOW Paragraph 4(a)(1).

51. What are the RFP dispatcher and flight-following requirements?

RESPONSE: The contractor shall dispatch, and flight-follow all flights in accordance with Part 121.

52. Are Cycle related parts considered scheduled Maintenance?

RESPONSE: Life-limited parts (cycle, flight hours, or calendar) associated with major component overhaul or hot-section inspections will be Government reimbursable. NNSA will amend the RFP (Atch 1, SOW) to add paragraph 4(b)(20) to read substantially as follows - "Life-limited components (cycle, flight hours, or calendar): The contractor shall be responsible for the replacement of all Life-limited components unless the Life-limited components (cycle, flight hours, or calendar) are associated with major component overhaul or hot-section inspections for which the Government will reimburse the contractor."

53. If the low bidder cannot comply at the time of inspection with all RFP requirements - who then gets the award? The next lowest bidder?

RESPONSE: If the Pre-Award Inspection reveals that the Offeror with the apparent lowest price technically acceptable (LPTA) proposal is not responsive to the technical requirements of the RFP, then the next apparent LPTA Offeror will be selected.

54. Does NNSA support Nuclear Emergencies outside the US?

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RESPONSE: Not for the purposes of this RFP. NNSA will amend the RFP (Atch 1, SOW Para 3(c) to read substantially as follows - "KAFB, Albuquerque, NM, is the main operating base for this contract. OST flight missions are conducted throughout CONUS. However, in the event that there would be international flights all associated cost will be reimbursed by the Government."

55. What if any operations are conducted outside the US?

RESPONSE: None are anticipated for this requirement at this time; therefore, Offerors are cautioned not to factor these costs into their offered firm fixed prices.

56. Does the successor company have to employ any previous employees?

RESPONSE: Under the Service Contract Act a new Service Contractor is not required to hire any of the existing Service Contract employees.

57. If the parent company is foreign, can the domestic subsidiary be awarded the contract?

RESPONSE: A foreign parent or domestic subsidiary may be able to obtain a Foreign Ownership, Control or Influence (FOCI) clearance as prescribed in DOE Manual 470.4-1, at Part 2, Section H, Chapter IV. This section of the Manual discusses requirements for processing FOCI determinations for a controlling foreign-owned "parent." In addition, DEAR 904.7003 requires a determination by the Contracting Officer that award of the contract would not create an undue risk to the common defense and security of the United States. This determination is part of the responsibility determination required by FAR 9.105-2. However, if a small business lacks elements of responsibility, award will be withheld and the matter will be referred to the SBA Contracting Area Office in accordance with FAR 19.602-1. The RFP incorporates by reference DEAR 952.204-73, on page 1 of section L. The term "Foreign Ownership, Control or Influence" (FOCI), means that a foreign interest has the power, direct or indirect, whether or not exercised and whether or not exercisable through ownership of the U.S. company's securities, by contractual arrangements or other means, to direct or decide matters affecting the management or operations of a U.S. company, in a manner which may result in unauthorized access to classified information and/or special nuclear material or may adversely affect the performance of classified contracts.

58. The RFP, at section H017 indicates that the NNSA provides \$100 Million in Aviation Liability Insurance. That amount is at least \$200 Million less than commercially common.

1. Will NNSA reconsider increasing coverage to \$300 Million?
2. Will the contractor be named additionally insured?
3. Will NNSA waive subrogation under the policy?
4. If the answer to "a" is negative, will NNSA indemnify the Prime?

RESPONSE: NNSA will amend the RFP (Section H017(e)) to read substantially as follows: "NNSA will provide Aviation Third Party Liability Insurance coverage (including Bodily Injury/Property Damage) for a Combined Single Limit of \$200 Million (\$100 Million deductible paid by the U.S. Government and \$100 Million covered by the Insurer) per Occurrence. The U.S. Government self-insures for single-occurrence losses greater than \$200 Million."

59. Ref: Section J. Attachment 6 (CBA), RFP 1 refers to two Letters of Agreement [LOA] to the current CBA [collective bargaining agreement]. What are the two LOA's?

RESPONSE: The two LOAs and the CBAs terminate at the end of the current incumbent contractor's contract period of performance (May 31, 2006). Neither LOA represents a cost to Offerors.

60. Section L of the RFP lists several items that require inspection per "Production Permits" are those permits available for review to determine cost associated with them?

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RESPONSE: Yes, production permits are available in the reading room for review. Please contact the Contract Specialist for access.

61. Are Personnel expenses (i.e. Hotels, per Diem, car rental, etc) the responsibility of the NNSA or are they to be covered by the operator?

RESPONSE: Government will reimburse Per Diem expenses.

62. REF: Clause H16 W.D / CBA FAR 52.222-47 SCA Min. Wages & Fringes: For purposes of obtaining an accurate estimate of costs for compliance to the SCA, section 4(c) requirements for fringe benefits, will the government provide the detailed benefits plan description for employees subject to the CBA? Contractor contributions towards H & W fringe benefits is a major cost within fixed price CLINs and a major financial risk for small business to undertake without adequate information.

RESPONSE: No, detailed benefit plan descriptions for employees subject to the CBAs* are considered proprietary information of the current contractor. Amendment 002 to the RFP will provide a reimbursable line item, Item 0008, and a special provision for guidance on proposing fringe benefits related to fully burdened insurance premiums and 401(k) company contributions for employees covered under the two CBAs and/or covered by the Service Contract Act. Item 0008 will be established for fully burdened fringe benefits related exclusively to medical, dental, life and disability insurance premiums and 401(k) company contributions required under the SCA for the first 12 months of contract performance. No profit will be allowed under Item 0008. The firm fixed price proposed for the basic period of performance (Item 0001) shall exclude those costs intended to be reimbursed under Item 0008. Item 0008 will not be evaluated for purposes of award. There are no reimbursable fringe benefits for Option Periods 1, 2, 3 and 4. All costs related to fringe benefits under the four option periods should be included in the appropriate firm fixed price line items.

* Mechanics and Related Craft Union Agreement dated July 19, 2005 and the Office and Professional Employees International Union (OPEIU) dated April 7, 2006.

63. Will an expedited process be used for security clearance – if a totally new group of employees are brought in by the new contractor?

RESPONSE: There is no expedited process to obtain security clearances. New employees will not be penalized while waiting for approved security clearance.

64. Is the Railway Labor Act applicable to current employees? Future employees? Does the National Mediation Board govern the current company / employee relationship? The Service Contracts Act in Section 351 addresses responsibilities of a company that utilizes employees formerly under a CBA with the previous employees. It requires continuation of wage rate and benefits for one year after the new company receives the contract if it employs any of the same employees. However, it does not appear to require first that "new" company adopt the CBA. Is there anything in the RFP that changes the language of the Service Contracts Act?

RESPONSE: The Railway Labor Act (RLA) and National Mediation Board (NMB) is not relevant for preparing and submitting your proposal. The (RLA) is a statute that governs labor relations in the railway and airline industries in the United States. The Act, passed in 1926 and amended in 1936 to apply to the airline industry, seeks to substitute bargaining, arbitration and mediation for strikes as a means of resolving labor disputes. It is not expected at this time that the RLA would affect or have a direct impact on future employees. The Mediation Board has responsibilities as a functional mediation agency to resolve disputes using procedures in the RLA. For more information, see <http://www.nmbfacts.com/RLA-Res.htm>. Under the Service Contract Act, a new Service Contractor is not required to hire any of the existing Service Contract employees. For UNREPRESENTED employees, the new Service Contractor who has won the award away from the incumbent only has the obligation to pay the minimum wage and fringe benefits rates established by the Department of Labor's (DOL) wage determination. For REPRESENTED employees, section 4C of the Service Contract Act, provides that no contractor who

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succeeds a previous Contractor, will pay any service employee under such contract less than the wages and fringe benefits (including accrued wages and fringe benefits) provided for in the collective bargaining agreement. The successor contractor's obligation is to insure that all service employees are paid no less than the wages and fringe benefits to which the employees would have been entitled, including prospective increases, if employed under the predecessor's collective bargaining agreement for the first year of the contract (i.e. irrespective of whether the successor's employees were or were not employed by the predecessor contractor). According to the DOL, the obligation of the successor contractor is limited to the wage and fringe benefit requirements of the predecessor's collective bargaining agreement and does not extend to other items such as seniority, grievance procedures, work rules, overtime, etc. The DOL website states that when a service contract is being recompeted, the competing Contractors will usually contact the Union representative and attempt to reach an agreement on the conversion and indicate so in their proposal. This insures that labor peace prevails. Contractors will usually agree to honor the terms and conditions of the collective bargaining agreement. For more information, please see http://www.dol.gov/esa/regs/compliance/whd/web/SCA_FAQ.htm

65. Please supply copies of Aircraft Maintenance Manuals?

RESPONSE: Copyright law prohibits unauthorized copies of these documents. Manuals are available at the NNSA/OST Aviation facility. Contact the Contract Specialist for access.

66. Who is responsible for FOD control?

RESPONSE: The Air Force provides FOD control on the KAFB Ramp the contractor is responsible for the FOD control within the hangar. NNSA will amend the RFP (Section J, Atch 1, SOW) to add paragraph 4(b)(21) to read substantially as follows – “The contractor is responsible for the FOD control within the hangar.”

67. Who is responsible or hazardous waste disposal?

RESPONSE: The Contractor is responsible and is classified as a Small Quantity Generator. NNSA will amend the RFP (Section J, Attachment 1, SOW) to add paragraph 4(b)(22)) to read substantially as follows - “The Contractor is responsible for disposal of hazardous waste and is classified as a Small Quantity Generator.”

68. Where is the fuel farm?

RESPONSE: The fuel farm is less than one mile from the OST hangar and can be accessed from the flight line.

69. Section J, Atch 1: This proposal requires the offeror to possess an air carrier certificate authorizing operations under Part 121. Paragraph 4(a)(12) of Section J, Attachment 1, states that all flights will be dispatched and that dispatch personnel will be on duty any time an aircraft is airborne. In addition, dispatchers are required to hold a Dispatcher certificate per Section J, Attachment 2. We hold a supplemental 121 certificate that requires a flight following function, not a dispatch function. Is it acceptable to hire certificated dispatchers but to operate a flight following function rather than a dispatch function on this contract?

RESPONSE: The contractor shall dispatch and flight-follow all flights in accordance with Part 121 OPSPECS required for flight operations under this contract SOW.

70. All 121 carriers are required to have the full-time management team specified in 119.65(a) and to have these people FAA approved in operations specification paragraph A006. Offerors already have an FAA approved management team in place at their home base, and they will probably intend to operate the OST contract as a satellite base.

**NNSA RESPONSES TO QUESTIONS FROM PROSPECTIVE OFFERORS IN RESPONSE TO
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(a) Is it acceptable to propose the existing management team that is already FAA-approved and to keep those personnel at their home base (not at Albuquerque)? Section H, paragraph H007 requires CO consent for any personnel substitution prior to initiating actions for FAA approval.

(b) Since the primary management team at the company's home base is already approved in operations specification paragraph A006, thereby precluding the use of A006 for additional personnel at Albuquerque, what format of FAA approval will be considered acceptable?

(c) Does this contract require a separate 119.65(a) management team located at Albuquerque?

RESPONSE: (a) Yes, as long as the approved key personnel meet the additional requirements set in Section J, Attachment 2-Minimum Personnel Qualifications. (b) Since they are already FAA approved, they still must meet (a) above. (c) It is not the Government's intent to require FAA approval of a proposing company's Albuquerque-based personnel in positions not specified in paragraph A006. Furthermore, it is not the Government's intent to require a separate Albuquerque-based management team required by 14 CFR Part 119.65(a).

71. Are any of the aircraft subject to this RFP currently under any engine Maintenance and Service Program (MSP), and if so what type program are they on and what level of support does the program provide?

RESPONSE: Yes, the Lear 35 and the GIII are currently on a JSSI engine maintenance and service contract through the incumbent contractor. Engine maintenance and service programs are not directed by the Government in this RFP.

72. Is the DOE responsible for the costs associated with the engine Shop Visits? If not: What is the current status of all installed engine time controlled components and shop visit schedule? Are engine disc sheets available for review?

RESPONSE: Yes. See Section B Item 0007, and Section L004(c)(8).

73. To submit an accurate price proposal for the scheduled maintenance on the aircraft it is necessary to review the aircraft maintenance program, specifically chapter 5 of the maintenance program which includes time limits. The maintenance program for each aircraft type is required, to include: DC-9-15, DC-9-33, G III, Lear 35A, and DHC-6-300. Can the DOE/NNSA provide those documents? If not, how can the playing field be leveled so that the current contractor is not the only bidder with those documents?

RESPONSE: The aircraft records are available for review. Please contact the Contract Specialist for access.

74. Please provide copies of aircraft LOPA's and Emergency Equipment drawings.

RESPONSE: All LOPAs are available in the Reading Room except for the DC-9-33F which will be available in mid-May. Please contact the Contract Specialist for access.

75. We request availability of aircraft records and maintenance programs for review, preferably sometime in next two weeks. Please advise a convenient date.

RESPONSE: Aircraft records and maintenance programs are available in the Reading Room for review. Please contact the Contract Specialist for access.

76. Please provide hours to cycles of all LLP's [limited life parts].

RESPONSE: Hours and cycles data are available in the reading room for review. Please contact the Contract Specialist for access.

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77. Please provide estimated hour to cycle ratio projected over the next 5 years.

RESPONSE: See the response to Question 31 above.

78. Is cost of bringing aircraft and equipment to 121 compliance considered unscheduled and therefore reimbursable?

RESPONSE: Yes.

79. Please provide current number(s) of Ross employees by department.

RESPONSE: The information is considered proprietary to the incumbent contractor. Staffing levels are part of the incumbent's technical approach to fulfilling the requirements under the current contract.

80. Since DOE owns the aircraft, will DOE order and pay for the aircraft manual subscriptions on an annual basis or should the bidder include that price in their bid? Manuals include the: Aircraft Flight Manual, Quick Reference Handbook, Flight Crew Operating Manual, Normal Checklist, and Manufacturer's Minimum Equipment List.

RESPONSE: Yes. See Section B Item 0007 Descriptive Data.

81. Please provide the law and/or regulation requiring a successor contractor to pay not less than the CBA wages and fringe benefits for the first year only?

RESPONSE: See the Response to Question 64 above.

82. Could the Government please provide copies of the lists of accepted aviation service providers?

RESPONSE: The DOE list can be located on the following URL for the DOE Aviation Homepage and then clicking on the Accepted Operator Database link: <http://www.mbe.doe.gov/me2-4/index.html>. The DoD list can be found at the following URL: <https://private.amc.af.mil/a3/default.aspx?tab=9>